

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA  
Plaintiff

v.

Criminal No. 07-121 (ADC)

JOSE RIVERA-DIAZ [27],  
Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION**

Before the Court is an unopposed Report and Recommendation issued by Magistrate-Judge Bruce J. McGiverin on January 30, 2008. (**Docket No. 882**). In said Report and Recommendation the Magistrate-Judge recommends that: defendant José Rivera-Díaz be adjudged guilty of the offenses charged in Count I (21 U.S.C. §§ 841(a)(1), 846 and 860) inasmuch as, his plea of guilty was intelligently, knowingly and voluntarily entered.

Neither party has filed objections to the Magistrate-Judge's Report and Recommendation within the time frame provided by the Federal Rules of Criminal Procedure and this Court's Local Rules. See Fed. R. Crim. P. 11; 28 U.S.C. § 636(b)(1)(B); D.P.R. Local Crim. R. 147(b).

After reviewing the record, the Court agrees with the arguments, factual and legal conclusions within the Report and Recommendation. Therefore, the Court hereby **APPROVES** and **ADOPTS** the Magistrate-Judge's Report and Recommendation in its entirety.

Accordingly, a judgment of conviction is to be entered as to Count I of the indictment in the above-captioned case.

**The sentencing hearing is set for April 29, 2008 at 10:30 a.m.**

**IT IS SO ORDERED.**

At San Juan, Puerto Rico, this 13<sup>th</sup> day of February, 2008.

**S/AIDA M. DELGADO-COLON**  
**United States District Judge**